

NOT FOR PUBLICATION

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

ELI LILLY AND COMPANY,

Plaintiff,

v.

ACTAVIS ELIZABETH LLC,
GLENMARK PHARMACEUTICALS
INC., SUN PHARMACEUTICAL
INDUSTRIES LTD., SANDOZ INC.,
MYLAN PHARMACEUTICALS INC.,
APOTEX INC., AUROBINDO PHARMA:
LTD., TEVA PHARMACEUTICALS
USA, INC., SYNTHON
LABORATORIES, INC., ZYDUS
PHARMACEUTICALS, USA, INC.,

Defendants.

Hon. Dennis M. Cavanaugh

ORDER

Civil Action No. 07-cv-3770 (DMC)

DENNIS M. CAVANAUGH, U.S.D.J.:

This matter comes before the Court upon the motion of Plaintiff Eli Lilly and Company (“Lilly”) for enforcement of a consent judgment against Zydus Pharmaceuticals USA, Inc., and the Court having considered the written submissions of Lilly:

WHEREAS on August 31, 2010, the Federal Circuit granted Lilly’s request for an injunction pending appeal and that Court currently having jurisdiction over this matter;

IT IS on this 23rd day of September, 2010;

ORDERED that Lilly’s motion for enforcement of consent judgment against Zydus is **denied for lack of jurisdiction.**

S/ Dennis M. Cavanaugh
Dennis M. Cavanaugh, U.S.D.J.

Orig.: Clerk’s Office
cc: All Counsel of Record
The Honorable Mark Falk, U.S.M.J.